

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEVIN BRANDIS PUGH,

Plaintiff,

V.

CHOCTAW COUNTY, ALABAMA,

Defendant.

CASE NO. 2:25-cv-00026-RAH-KFP

ORDER


This case is before the Court on a Recommendation of the Magistrate Judge entered on June 26, 2025. (Doc. 19.) In the Recommendation, the Magistrate Judge recommends that this case be dismissed without prejudice because it appears there is no factual basis for proper venue or convenience of the witnesses and parties in the Middle District of Alabama. In other words, the case should be filed in the United States District Court for the Southern District of Alabama since it appears that most or all of the records and witnesses relevant to the underlying claims are likely to be located in Choctaw County, Alabama (i.e., the Southern District of Alabama).

On July 8, 2025, Plaintiff filed a one-sentence *Motion to Object* (doc. 24), which the Court will construe as an objection, in which he objects to the dismissal of this case. His response however suggests that he does not oppose transfer of this case to the proper venue proper. Other than this statement, Plaintiff provides no argument, discussion or explanation as to why the Magistrate Judge's Recommendation is in error.

After an independent and de novo review of the file, and for good cause, the Court will adopt the Recommendation but, instead of dismissing the case, will order that the case be transferred to the Southern District of Alabama. Accordingly, it is **ORDERED** as follows:

- (1) Plaintiff's *Motion to Appoint Counsel* (doc. 21) is **DENIED**;
- (2) Plaintiff's *Motion to Appoint Counsel and Motion for Relief from Obligation to Prepay Fees* (doc. 22) is **DENIED**;
- (3) Plaintiff's *Motion of Obligation to Prepay Fees* (doc. 23) is **DENIED**;
- (4) Plaintiff's *Motion to Object to the Recommendation* (doc. 24) is **OVERRULED** and **DENIED**;
- (5) The Recommendation is **ADOPTED** but modified to reflect that the case will be transferred to the Southern District of Alabama instead of dismissed;
- (6) This case is hereby **TRANSFERRED** to the United States District Court for the Southern District of Alabama; and
- (7) The Clerk of Court shall undertake all actions necessary to effectuate the transfer.

DONE, on this the 21st day of July 2025.



R. AUSTIN HUFFAKER, JR.
UNITED STATES DISTRICT JUDGE